

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

CURTIS WILLIAMS, a Washington resident,

Plaintiff,

v.

PHOENIX LAW, PC, a California corporation
law firm, and credit repair organization,

Defendant.

NO: 3:23-cv-05437-LK

MOTION FOR ORDER OF DEFAULT
AGAINST PHOENIX LAW, PC

COMES NOW the Plaintiff, by and through his attorney, Peter Schneider of Northwest Debt Resolution, LLC, and requests this Court enter an order of default against Phoenix Law, PC, as it has failed to answer or otherwise defend against the Plaintiff's complaint within the time allotted by FRCP 12(a).

I. MOTION

FRCP 12(a), entitled "Time to Serve a Responsive Pleading," provides in pertinent part that "[a] defendant must serve an answer within 21 days after being served with the summons and complaint." FRCP 12(a)(1)(A)(i). FRCP 55(a), entitled "Entering a Default," provides that "when a party against whom a judgment for affirmative relief is sought has failed to plead or

1 otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the
2 party's default." FRCP 55(a). The Plaintiff filed this lawsuit on May 12, 2023. ECF No. 1.
3 Phoenix Law, PC, was served with a copy of the summons and complaint in this matter on May
4 18, 2023. ECF No. 5.

6 **II. CONCLUSION**

7 More than 21 days have elapsed since Phoenix Law, PC, was served with a copy of the
8 summons and complaint, and it has failed to appear in this matter and respond to or otherwise
9 defend against the Plaintiff's lawsuit. Therefore, this Court should enter an order of default
10 against it.

11
12 DATED June 27, 2023

13 NORTHWEST DEBT RESOLUTION, LLC

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15 _____
16 Peter Schneider, WSBA# 43131
17 Northwest Debt Resolution, LLC
18 10900 NE 4th Street, Ste. 2300
19 Bellevue, WA 98004
20 Telephone: (425) 400-9001
21 Facsimile: (425) 609-0066
22 attorney@nwdebtresolution.com
23 Attorney for Plaintiff
24
25
26

DECLARATION OF SERVICE

I, Peter Schneider, am a resident of the State of Washington, over the age of 18 and competent to make this declaration herein. On the date indicated below, I served the foregoing document to the following recipients in the manner described below:

All counsel of record.

- | | |
|-------------------------------------|-----------------------|
| <input type="checkbox"/> | USPS first class mail |
| <input type="checkbox"/> | E-mail |
| <input type="checkbox"/> | Facsimile |
| <input checked="" type="checkbox"/> | Other – ECF E-service |

DATED June 27, 2023



Peter Schneider